

**Office of the State Public Defender
Administrative Policies
Human Resources**

Subject:	Performance Evaluations, Public Defenders	Policy No.:	515
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1. POLICY

Each public defender shall have their work performance evaluated on a yearly basis.

2. PROCEDURE

A. Performance evaluations shall be conducted by a combination of the following:

1. the Chief Public Defender, and;
2. the Training Coordinator and/or;
3. the Regional Deputy Public Defender from the region in which the public defender works and/or;
4. the Managing Attorney from the office in which the public defender works.

Forms approved by the Chief Public Defender shall be used for the evaluation.

B. In conducting the evaluation, the evaluators will observe the public defender in court and may obtain information from any of the following:

1. Clients;
2. Other public defenders working in the office;
3. Office staff;
4. Judicial personnel;
5. Faculty from any training the public defender attends.

The public defender shall be interviewed pursuant to the performance evaluation.

C. At least two of the persons involved in the performance evaluation shall meet with the public defender to review and discuss the evaluation. If the

public defender disagrees with the appraisal, the public defender has the right to submit, within 10 working days of receipt of the appraisal, a written rebuttal to be attached to the document.

- D. A permanent public defender may file a grievance under the state grievance procedure outlined in MOM 3-0115 Performance Management and Evaluation.
- E. Once all parties have signed the performance evaluation, a copy will be given to the public defender. If the public defender refuses to sign the form, the supervisor will document on the form that the public defender refused to sign the document. The original will be placed in the public defender's personnel file along with any written comments received from the public defender. The performance evaluation will be maintained throughout the public defender's employment and retained in compliance with the State Records Retention Schedule.

3. CLOSING

This policy shall be followed unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Questions about this policy should be address to the OPD Human Resource Officer at:

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